

REMARKS

Claims 1-2, 4-18, 22, 28, 30, 32, and 34-38 are now pending in the application. Claims 11-13 and 34 have been amended herein and Claims 1-10, 22, 28, 30, 32, 35, and 38 have been cancelled. New Claims 39-63 have been added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

CLAIM OBJECTIONS

Claims 34-38 are objected to under 37 CFR 1.75(c), as allegedly being of improper dependent form for failing to further limit the subject matter of a previous claim. This rejection is respectfully traversed. However, in an attempt to expedite prosecution, Applicant has cancelled Claims 35 and 38. In addition, Applicant has amended Claim 34 to include at least one of a rivet, a punch rivet, a blind rivet, a rivet nut, a weld nut, a weld stud, and a clip. Support for this amendment may be found in Paragraphs [0004] and [0014]. Applicant respectfully disagrees with Examiner on the rejection of Claim 36-37 and amended Claim 34. According to the dictionary (apparatus. Dictionary.com. *Dictionary.com Unabridged (v 1.0.1)*, Based on the Random House Unabridged Dictionary, © Random House, Inc. 2006. <http://dictionary.reference.com/search?r=2&q=apparatus> (accessed: August 25, 2006), see attached), the definition of an apparatus is a group or combination of instruments, machinery, tools, materials, etc., having a particular function or intended for a specific use. Claim 36 and amended Claim 34 further define and limit the materials that may be used as part of the group or combination of the apparatus and, therefore, further limit

the subject matter of a previous claim. Accordingly, reconsideration and withdrawal of the present objection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-2, 4-9, 30, and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Banks et al. (US Patent No. 6,134,940). This rejection is respectfully traversed. At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited reference. However, in an attempt to expedite prosecution, Applicant has cancelled Claims 1-2, 4-9, 30, and 32. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

Claims 1-2, 4-9, 30, and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Smith et al. (US Patent Application No. 2002/0104207). This rejection is respectfully traversed. At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited reference. However, in an attempt to expedite prosecution, Applicant has cancelled Claims 1-2, 4-9, 30, and 32. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

Claims 1-2, 4-5, 10, 30, and 32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Smith et al. (US Patent Publication No. 2002/01042076). This rejection is respectfully traversed. At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited reference. However, in an attempt to expedite prosecution, Applicant has cancelled Claims 1-2, 4-5, 10, 30, and 32. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

Claims 1-2, 4-9, 30, and 32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Banks et al. (US Patent No. 6,073,326). This rejection is respectfully traversed. At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited reference. However, in an attempt to expedite prosecution, Applicant has cancelled Claims 1-2, 4-9, 30, and 32. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 22, 28, 30, and 32 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Pryor (US Patent No. 5,380,978) in view of Lohrmann (US Patent No. 5,145,278). This rejection is respectfully traversed.

At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited references. However, in an attempt to expedite prosecution, Applicant has cancelled Claims 22, 28, 30, and 32. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

ALLOWABLE SUBJECT MATTER

Claims 11-14 are objected to as being depended on a rejected base claim but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Accordingly, Applicant has amended Claims 11-14 to overcome the rejection and to include the elements of the base claim and any intervening claims. Therefore, Claims 11-14 should not be in condition for allowance.

Claims 15-18 have been allowed.

Any claim amendments not discussed above are merely grammatical or to improve typographical oversights and are not for patentability reasons or to overcome any of the cited references. Therefore, these amendments are entitled to their full range of equivalents.

CONCLUSION


It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Dated: August 30, 2006

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MLF/MJL/ng

Respectfully submitted,

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ap·pa·rat·us [ap-uh-rat-uh s, -rey-tuh s] [Pronunciation Key](#) - [Show IPA](#)

Pronunciation

-noun, plural -tus, -tus-es.

1. a group or combination of instruments, machinery, tools, materials, etc., having a particular function or intended for a specific use: *Our town has excellent fire-fighting apparatus.*
2. any complex instrument or mechanism for a particular purpose.
3. any system or systematic organization of activities, functions, processes, etc., directed toward a specific goal: *the apparatus of government; espionage apparatus.*
4. *Physiology.* a group of structurally different organs working together in the performance of a particular function: *the digestive apparatus.*

[Origin: 1620-30; < L *apparātus* equipment, orig. the act of equipping, preparation, equiv. to *apparā(re)* to prepare (*ap-* *AP-*¹ + *parāre*; see [PREPARE](#)) + *-tus* suffix of v. action]

—*Synonyms* 2. machine, appliance, device, contraption, contrivance.

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ap·pa·rat·us (ăp'ə-răt'əs, -răt'əs) [Pronunciation Key](#)

n. pl. apparatus or ap·pa·rat·us·es

- a. An appliance or device for a particular purpose: *an x-ray apparatus.*
- b. An integrated group of materials or devices used for a particular purpose: *dental apparatus.* See [Synonyms](#) at [equipment](#).

2.

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- specific task executed, as in a system of government.
- b. A political organization or an underground political movement. Also called **apparat**.
 3. *Physiology*.. A group or system of organs that collectively perform a specific function or process: *the respiratory apparatus*; *the digestive apparatus*.
 4. The critical and source material that accompanies an edition of a text.

[Latin *apparātus*, *preparation*, from past participle of *apparāre*, *to prepare* : *ad-*, *ad-* + *parāre*, *to prepare*; see *per-*¹ in Indo-European Roots.]

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ap·pa·ra·tus (ăp'ə-rā'təs, -rāt'əs)

n. pl. **apparatus** or **ap·pa·ra·tus·es**

1. An integrated group of materials or devices used for a particular purpose.
2. A group or system of organs that collectively performs a specific function or process.

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Main Entry: **ap·pa·ra·tus**

Pronunciation: "ap-&- 'rat-&s, - 'rAt-

Function: *noun*

Inflected Form: *plural -tus·es or -tus*

: a group of anatomical and cytological parts having a common function <the respiratory *apparatus*> —see **GOLGI APPARATUS**

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apparatus

n 1: equipment designed to serve a specific function [syn: **setup**] 2: (anatomy) a group of body parts that work together to perform a given function; "the breathing apparatus"

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